

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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CATHERINE A. FERDETTA, \*

Petitioner, \*

v. \*

SECRETARY OF HEALTH  
AND HUMAN SERVICES, \*

Respondent. \*

\* \* \* \* \*

No. 15-835V

Special Master Christian J. Moran

Filed: January 5, 2016

Damages; decision based on proffer;  
Tdap vaccination; shoulder injury;  
SIRVA.

Daniel R. Gage, Gage Fiore, LLC, Lawrenceville, NJ, for Petitioner;  
Glenn A. MacLeod, U.S. Department of Justice, Washington, DC, for Respondent.

### **UNPUBLISHED DECISION AWARDING DAMAGES<sup>1</sup>**

On August 5, 2015, Catherine Ferdetta filed a petition seeking compensation under the National Vaccine Injury Compensation Program, 42 U.S.C. §§ 300aa-1 et seq., alleging that the tetanus-diphtheria-acellular pertussis (“Tdap”) vaccination caused her to suffer a shoulder injury related to vaccine administration (“SIRVA”).

On December 30, 2015, respondent filed a Proffer on Award of Compensation, to which petitioner agrees. Based upon the record as a whole, the special master finds the proffer reasonable and that petitioner is entitled to an award as stated in the Proffer. Pursuant to the attached Proffer the court awards petitioner:

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<sup>1</sup> The E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

**A lump sum payment of \$110,000.00, in the form of a check payable to petitioner, Catherine Ferdetta. This amount represents compensation for all damages that would be available under 42 U.S.C. §300aa-15(a).**

In the absence of a motion for review filed pursuant to RCFC, Appendix B, the clerk is directed to enter judgment in case 15-835V according to this decision and the attached proffer.<sup>2</sup>

Any questions may be directed to my law clerk, Dan Hoffman, at (202) 357-6360.

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master

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<sup>2</sup> Pursuant to Vaccine Rule 11(a), the parties can expedite entry of judgment by each party filing a notice renouncing the right to seek review by a United States Court of Federal Claims judge.